

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Ryan Investment Corp.,

NO. C 06-03219 JW

Plaintiff,

**ORDER VACATING CASE  
MANAGEMENT CONFERENCE;  
SETTING HEARING FOR MOTION**

v.


Pedregal De Cabo San Lucas, et al.,

Defendants.

This case is scheduled for a Case Management Conference on December 20, 2010. Pursuant to the Federal Rules of Civil Procedure and Local Rules of this Court, the parties conferred and duly submitted a Joint Case Management Statement and Proposed Order. (See Docket Item No. 169.) Based on their joint submission, it appears that an appearance is not necessary at this time. In light of the Ninth Circuit's remand, the Court invites Plaintiff to file an appropriate Motion with respect to its claim for *quantum meruit*.

Accordingly, the Case Management Conference is VACATED. The Court sets **February 14, 2011 at 9 a.m.** as the hearing date for Plaintiff's anticipated Motion. The parties shall brief the Motion in accordance with the Civil Local Rules.

Dated: December 14, 2010

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 George J. Berger gberger@allenmatkins.com  
3 Mark Aloysius O'Connor oconnor@horanlegal.com  
4 Michael Patrick Burns mburns@horanlegal.com

5 **Dated: December 14, 2010**

**Richard W. Wieking, Clerk**

7 **By: /s/ JW Chambers**  
8 **Elizabeth Garcia**  
9 **Courtroom Deputy**